Signature

PTO/SB/21 (02-04)

Date

03/09/2004

Approved for use through 07/31/2006. OMB 0651-0031, U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/639.441 **TRANSMITTAL** Filing Date 08/15/2000 **FORM** First Named Inventor Douglas M. Okuniewicz Art Unit (to be used for all correspondence after initial filing) 3713 **Examiner Name** Nguyen, Binh-An Duc Attorney Docket Number 3 A9658-69925 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply)

X Fee Transmittal Form X Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s)	After Allowance communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please Identify below):			
Response to Missing Parts under 37 CFR 1.52 or 1.53		TECHNOLOGY CENTER R3700			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm or Individual name David E. Mixon, Esq. Signature Date 03/09/2004					
CERTIFICATE OF TRANSMISSION/MAILING					
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Typed or printed name Terr 1	G. Tatum				

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PTO/SB/31 (08-03)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTEFERENCES

A9658-69925

Docket Number (Optional)

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United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box	Printing and I	Dispensing Bonusing		
1450, Alexandria, VA 22313-1450"	Application Number Filed			
on 03/09/2004	09/639,441	08/15/2000		
Signature Jeni S. Talum	For Douglas M.			
Typed or printed managed C T	Art Unit	Examiner		
name Terri G. Tatum	3713	Nguyen, Binh-An Du		
Applicant hereby appeals to the Board of Patent Appeals and Interference	es from the last decision of the e	xaminer.		
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ 330.00		
Applicant claims small entity status. See 37 CFR 1.27. Therefore, to by half, and the resulting fee is:	he fee shown above is reduced	\$ <u>165.00</u>		
$\overline{\mathbf{X}}$ A check in the amount of the fee is enclosed.				
Payment by credit card. Form PTO-2038 is attached.				
The Director has already been authorized to charge fees in this apply I have enclosed a duplicate copy of this sheet.	•			
The Director is hereby authorized to charge any fees which may be to Deposit Account No50~0954 I have enclosed	required, or credit any overpayr I a duplicate copy of this sheet.	RECEIVED		
A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.		MAR 1 7 2004		
WARNING: Information on this form may become public. Cred be included on this form. Provide credit card information and a	lit card information should મિર્દી authorization on PTO-2038.	CHNOLOGY CENTER R3700		
I am the	0	_		
applicant/inventor.	\mathcal{D}_{I}	Signature		
assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	David E. Mi Typ	xon Esq. ed or printed name		
attorney or agent of record. Registration number 43,809	<u>(256) 517-5</u> 	100 elephone number		
attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a).	03/09/2004	Date		
NOTE: Signatures of all the inventors or assignees of record of the entire Submit multiple forms if more than one signature is required, see below*		(s) are required.		
↑ *Total of 3 forms are submitted.	-			

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TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

X Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT 375.00

Complete if Known			
Application Number	09/639,441		
Filing Date	08/15/2000		
First Named Inventor	Douglas M. Okuniewicz		
Examiner Name	Nguyen, Binh-An Duc		
Art Unit	3713		
Attorney Docket No.	A9658-69925		

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)			
X Check Credit card Money Other None	e 3. ADDITIONAL FEES			
☐ Order ☐ Order ☐ None	Large Entity Small Entity			
Deposit	Fee Fee Fee Fee Description Code (\$)	Fee Paid		
Account	1051 130 2051 65 Surcharge - late filing fee or oath			
Deposit Account BARW	1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet			
Name The Director is authorized to: (check all that apply)	1053 130 1053 130 Non-English specification			
Charge fee(s) indicated below	1812 2,520 1812 2,520 For filing a request for ex parte reexamination	<u> </u>		
Charge any additional fee(s) or any underpayment of fee(s)	1804 920* 1804 920* Requesting publication of SIR prior to Examiner action			
Charge fee(s) indicated below, except for the filing fee	1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action			
to the above-identified deposit account.	1251 110 2251 55 Extension for reply within first month			
FEE CALCULATION	1252 420 2252 210 Extension for reply within second month	210		
1. BASIC FILING FEE Large Entity Small Entity	1253 950 2253 475 Extension for reply within third month			
Fee Fee Fee Fee Fee Description Fee Paid Code (\$)	1254 1,480 2254 740 Extension for reply within fourth month			
1001 770 2001 385 Utility filing fee	1255 2,010 2255 1,005 Extension for reply within fifth month			
1002 340 2002 170 Design filing fee	1401 330 2401 165 Notice of Appeal	165		
1003 530 2003 265 Plant filing fee	1402 330 2402 165 Filing a brief in support of an appeal			
1004 770 2004 385 Reissue filing fee	1403 290 2403 145 Request for oral hearing			
1005 160 2005 80 Provisional filing fee	1451 1,510 1451 1,510 Petition to institute a public use proceeding			
SUBTOTAL (1) (\$)	1452 110 2452 55 Petition to revive - unavoidable 1453 1,330 2453 665 Petition to revive - unintentional ECE			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1453 1,330 2453 665 Petition to revive - unintentional CUE	WEA		
Fee from Extra Claims below Fee Paic	1501 1,330 2501 665 Utility issue fee (or reissue)			
Total Claims X =	1502 480 2502 240 Design issue fee 1503 640 2503 320 Plant issue fee 1503	2004 - 		
Independent Claims - 3** = X = X	1460 130 1460 130 Petitions to the Commissione LOGY CEA			
Multiple Dependent	1503 640 2503 320 Plant issue fee TECHNOLOGY CEN 1460 130 1460 130 Petitions to the Commissioner LOGY CEN 1807 50 1807 50 Processing fee under 37 CFR 1.17(q)	TER H3700		
Large Entity Small Entity	1806 180 1806 180 Submission of Information Disclosure Stmt			
Fee Fee Fee Fee <u>Fee Description</u> Code (\$)	8021 40 8021 40 Recording each patent assignment per property (times number of properties)			
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809 770 2809 385 Filing a submission after final rejection			
1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent claim, if not paid	(37 CFR 1.129(a)) d 1810 770 2810 385 For each additional invention to be			
1204 86 2204 43 ** Reissue independent claims	examined (37 CFR 1.129(b))	<u> </u>		
over original patent	1801 770 2801 385 Request for Continued Examination (RCE)			
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802 900 1802 900 Request for expedited examination of a design application			
SUBTOTAL (2) (\$)	Other fee (specify)			
**or number previously paid, if greater; For Reissues, see above	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 3.7	5.00		

1 '	and over original patent	of a design	application	I	
**or number previo	SUBTOTAL (2) (\$) ously paid, if greater; For Reissues, see above	Other fee (specify) *Reduced by Basic Filing Fee Paid	SUBTOTAL (3)	(\$) 3.75.00	
SUBMITTED BY			(Complete (if appli	icable))	
Name (Print/Type)	Davrid E. Mixon, Esc	Registration No. (Attorney/Agent) 43,809	Telephone (2.	56) 517-5100 8	
Signature			Date 0	3/09/2004	
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including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRES SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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